

REMARKS

Initially, in the Office Action dated October 15, 2002, the Examiner has rejected claim 7 under 35 USC §102(e) as being anticipated by U.S. Patent No. 5,894,298 (Hoeksma). Further, claims 1, 2, 5 and 6 have been rejected under 35 USC §103(a) as being unpatentable over Hoeksma in view of European Patent document 0 647 037 (Nagai) and Great Britain Patent document 2 308 939 (Jung). Claims 3 and 4 have been rejected under 35 USC §103(a) as being unpatentable over Hoeksma in view of Nagai, Jung and U.S. Patent No. 5,710,576 (Nishiyama et al.). Claims 1-7 remain pending in the present application.

35 USC §102 Rejections

Claim 7 has been rejected under 35 USC §102(e) as being anticipated by Hoeksma. Applicants respectfully traverse this rejection.

Hoeksma discloses an alphanumeric and graphics liquid crystal display having utility in portable devices that has two segments for backlighting, one for illuminating a reduced screen area for short messages and the other for illuminating the rest of the screen when the full screen is in operation. The illumination screen has selectable elements that are illuminated in response to control signals generated in correspondence with the data signals. The selected elements of the illumination screen provide backlighting for viewing the symbols under low ambient light levels without illuminating the entire viewing screen, thereby conserving power in an on-board battery.

Applicants submit that Hoeksma does not disclose or suggest the limitations in the combination of claim 7 of, inter alia, a user moveable cover and user input interface lighting, wherein the user input interface lighting is activated only for those portions of the user input interface which are not hidden by the cover as determined by a detected estimate of the position of the cover. Hoeksma relates solely to a display apparatus and specifically illumination of a screen on a display apparatus thereby to conserve power. The Examiner asserts that the limitations in claim 7 of the present application are disclosed in Hoeksma at col. 5, lines 23-28. However, this portion of Hoeksma merely discloses that depending upon the position of the cover with respect to the switches, the screen may be partially or entirely backlit by the segments 27 and 28. Thus if the switches 17 and 18 are sequentially activated by the cover 15, the screen 25 is completely covered. Both segments 27 and 28 are consequently disabled to conserve battery power. Clearly, Hoeksma relates to the position of the cover controlling illumination of the screen. This is not a user moveable cover and user input interface lighting wherein the user input interface lighting is activated only for those portions of the user input interface which are not hidden by the cover. The display in screen in Hoeksma is not a user input interface as recited in the claims of the present application.

Accordingly, Applicants submit that Hoeksma does not disclose or suggest the limitations in the combination of claim 7 of the present application. Applicants respectfully request that this rejection be withdrawn and that this claim be allowed.

35 USC §103 Rejections

Claims 1, 2, 5 and 6 have been rejected under 35 USC §103(a) as being unpatentable over Hoeksma in view of Nagai and Jung. Applicants respectfully traverse these rejections.

Nagai discloses a portable radio apparatus that includes a first housing body and a second housing body connected to the first housing body in such a manner that they are freely opened and closed with each other. The key operation pad of the first housing body is covered with the second housing body when necessary. The second housing body is provided with an opening or a push button so that at least one key is operated in a state in which the first and second housing bodies are closed.

Jung discloses a key pad illumination circuit for a portable telephone in which a flip type portable telephone includes means to turn key pad illumination D1-D8 on or off in response to the open or closed position of the flip. There is no delay in turning the illumination off, thus saving power. The flip position sensing means comprises a switch 14 mounted in the body of the telephone operated by a magnet 20 mounted in the flip.

Regarding claim 1, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of claim 1 of, inter alia, a radio telephone handset that includes means for lighting a display and keypad to an extent limited by the position of the cover. The Examiner acknowledges that Hoeksma does not teach lighting a keypad to an extent limited by the position of a cover, or a cover moveable between a close position and an open position in which a keypad is accessible to a user. The

Examiner asserts that Jung teaches lighting a keypad to an extent limited by the position of the cover at page 2, lines 6-9. However, this portion of Jung merely teaches a flip type cellular telephone with a circuit for turning panel lights on/off in response to open/close status of a flip. Jung discloses turning keypad illumination off in response to the closed position of the flip with no delay thereby saving power. Therefore, according to Jung, either the entire keypad is illuminated, or the entire key pad is not illuminated, based on the open or closed position of the flip. In contrast, the claims of the present invention recite means for lighting the display in keypad to an extent limited by the position of the cover. Therefore, according to the present invention, the keypad and display are lit to a degree in accordance with the position of the cover (see Figs. 4A-4C and associated description). Nagai describes a flip that when closed still provides access to the power key. This does not relate to lighting a display in keypad to an extent limited by the position of a cover, as recited in claim 1 of the present application.

Moreover, Applicants submit that there would be no motivation for one skilled in the relevant art to combine Hoeksma, Jung and Nagai since this combination does not achieve the present invention, and teaches away from the present invention. None of the cited references disclose or suggest a means for lighting a display and keypad to an extent limited by the position of the cover. The keys in Hoeksma are still fully accessible when the cover is closed. An additional cover would be necessary to cover the keys of Hoeksma. The combination of these three references yields a flip type cover that either completely turns on or completely turns off keypad illumination, except for perhaps one key. This is not a means for lighting

a display and keypad to an extent limited by the position of the cover, as recited in the claims of the present application.

Regarding claims 2, 5 and 6, Applicants submit that these claims are dependent on independent claim 1 and, therefore, are patentable at least for the same reasons noted regarding this independent claim.

Accordingly, Applicants submit that neither Hoeksma, Nagai, nor Jung, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of claims 1, 2, 5 and 6 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

Claims 3 and 4 have been rejected under 35 USC §103(a) as being unpatentable over Hoeksma in view of Nagai, Jung and Nishiyama et al. Applicants respectfully traverse these rejections.

Nishiyama et al. discloses a portable electronic device having a construction in which a first housing and a second housing are capable of being opened and closed and a display is mounted on an inner side of the first housing. A partial display area of the display is in a visible state even if the second housing is closed, and the full display area becomes in a visible state when the second housing is opened.

Applicants submit that claims 3 and 4 are dependent on independent claim 1 and, therefore, are patentable at least for the same reasons noted previously regarding this independent claim. Applicants submit that Nishiyama et al. does not overcome the significant defects noted previously regarding Hoeksma, Nagai and Jung.

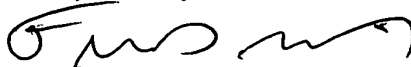
“Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of claims 3 and 4 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

In view of the foregoing amendments and remarks, Applicants submit that claims 1-7 are now in condition for allowance. Accordingly, early allowance of such claims is respectfully requested.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned **“Version with markings to show changes made.”**

To the extent necessary, Applicant petitions for an extension of time under 37 CFR §1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees and excess claim fees, to Deposit Account No. 01-2135 (referencing case No. 367.39322X00) and please credit any excess fees to such deposit account.

Respectfully submitted,



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Version with markings to show changes made

IN THE CLAIMS

Please amend claim 7 as follows:

7. (Amended) A method of controlling a radiotelephone handset including a user-moveable cover and [user-interface] user input interface lighting, wherein the [user-interface] user input interface lighting is activated only for those portions of the [user-interface] user input interface which are not hidden by the cover as determined by a detected estimate of the position of the cover.